

(12150-12:51)

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M10- 427

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- against -

ARABAMBI OLAPEMO FAGBAMIYE,

Defendant.

PRE-ARRAIGNMENT

C O M P L A I N T

(21 U.S.C. §§ 952(a)
and 960)

- Federal defendants appointed

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EASTERN DISTRICT OF NEW YORK, SS: ✓

REBECCA GOLDSTEIN, being duly sworn, deposes and states that she is a Special Agent with United States Immigration and Customs Enforcement ("ICE"), duly appointed according to law and acting as such.

Upon information and belief, on or about April 16, 2010, within the Eastern District of New York and elsewhere, the defendant ARABAMBI OLAPEMO FAGBAMIYE did knowingly, intentionally and unlawfully import into the United States from a place outside thereof heroin, a Schedule I controlled substance.

(Title 21, United States Code, Sections 952(a) and 960).

The source of your deponent's information and the grounds for her belief are as follows:^{1/}

1. On April 16, 2010, the defendant ARABAMBI OLAPEMO FAGBAMIYE (the "defendant") arrived at John F. Kennedy International Airport in Queens, New York ("JFK"), aboard Arik Airlines flight 107 from Lagos, Nigeria.

2. During a customs examination, the defendant stated to an Officer of U.S. Customs and Border Protection ("CBP") that she had swallowed narcotics.

3. The defendant was transported to the medical facility at JFK, where an x-ray was taken of the defendant's intestinal tract, which was positive for foreign bodies. As of April 17, 2010, at 12:00 p.m., the defendant had passed approximately ninety-seven (97) pellets. One of the pellets was field-tested, and it tested positive for heroin.

4. The defendant was informed of her Miranda rights by Agents of U.S. Immigration and Customs Enforcement ("ICE"). The defendant waived her rights and stated to ICE Agents, in substance and in part, that she knew she was transporting narcotics into the United States, that she had been paid \$2,000 to do so and expected to be paid an additional \$5,000 upon

^{1/} Because the purpose of this Complaint is to state only probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

delivery, and that she swallowed approximately one-hundred thirteen (113) pellets in total.

5. The defendant will be detained at the JFK medical facility until such time as she has passed all the pellets contained within her intestinal tract.

WHEREFORE, your deponent respectfully requests that the defendant ARABAMBI OLAPEMO FAGBAMIYE be dealt with according to law.

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REBECCA GOLDSTEIN
Special Agent
U.S. Department of Homeland Security
Immigration and Customs Enforcement

Sworn to before me this
17th day of April, 2010

HONORABLE JOAN M. AZRACK
United States Magistrate Judge
Eastern District of New York